



COUNCIL MEETING AGENDA

January 16, 2014

Members may attend in person or by telephone.

John W. Lewis, Mayor
Ben Cooper, Vice Mayor

Eddie Cook
Victor Petersen
Jared Taylor

Jenn Daniels
Jordan Ray

**Gilbert Municipal Center
Council Chambers
50 East Civic Center Drive
Gilbert, Arizona**

**Regular Meeting
7:00 p.m.**

**THE TIMES LISTED FOR AGENDA ITEMS ARE ESTIMATED.
ITEMS MAY BE DISCUSSED EARLIER OR IN A DIFFERENT SEQUENCE.**

EST. TIME	AGENDA ITEM	COUNCIL ACTION
7:00	CALL TO ORDER OF REGULAR MEETING	
7:00-7:05	INVOCATION AND PLEDGE OF ALLEGIANCE The invocation may be offered by a person of any religion, faith, belief or non-belief, as well as Councilmembers. A list of volunteers is maintained by the Town Clerk and interested persons should contact the Clerk for further information. Mayor invites all scouts present to the front of the Council Chambers. Invocation by Reverend William Jefferson, The Benevolent and Protective Order of Elks, Gilbert Lodge #2848. Pledge of Allegiance and introduction and recognition of scouts.	
7:05	ROLL CALL	
7:05-7:20	PRESENTATIONS; PROCLAMATIONS 1. Recognition of Ben Cooper for service as Vice Mayor. 1A. Selection of Vice Mayor.	Discussion; possible action

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	<p>2. Presentation of Annual Audited Financial Reports for the fiscal year ended June 30, 2013.</p> <p>3. Pillar of the Month – <i>Fairness</i>.</p> <p>4. Recognition of Scott Anderson, Riparian Director, for 25 years of service to the Town of Gilbert.</p>	by MOTION.
7:20-7:35	<p>5. COMMUNICATIONS FROM CITIZENS</p> <p>At this time, members of the public may comment on matters within the jurisdiction of the Town but not on the agenda. The Council's response is limited to responding to criticism, asking staff to review a matter commented upon, or asking that a matter be put on a future agenda.</p>	
7:35-8:00	<p>CONSENT CALENDAR</p> <p>All items listed below are considered consent calendar items and may be approved by a single motion unless removed at the request of Council for further discussion/action. Other items on the agenda may be added to the consent calendar and approved under a single motion.</p> <p>6. AGREEMENT – consider adoption of a Resolution extending the cable television license term of Cox Communications Arizona, LLC; and providing for repeal of conflicting resolutions.</p> <p>7. CONTRACT – consider approval of Construction Services Contract No. 2014-2105-0105 with Talis Construction Corporation in an amount not to exceed \$437,414.50 for the Gilbert Downtown Pedestrian Improvements and authorize the Mayor to execute the required documents.</p> <p>8. No item.</p> <p>9. CONTRACT – consider approval of Sole Source Contract No. 2014-1105-0140 with Tyler Technologies, Inc. in an amount not to exceed \$165,183 for the Annual Software Support and</p>	<p>Discussion; possible action by MOTION to adopt RESOLUTION.</p> <p>Discussion; possible action by MOTION.</p> <p>Discussion; possible action by MOTION.</p>

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	<p>Maintenance for the EDEN Software System, and authorize the Mayor to execute the required documents.</p> <p>10. CONTRACT – consider approval of Job Order No. 12 to Contract No. 2013-7003-0180 with CS Construction Inc. in an amount not to exceed \$214,949.38 for the traffic Signal at Gilbert Road and Vaughn Avenue, Project No. TS171.</p> <p>11. GRANT – consider application and acceptance of a Grant from Maricopa Association of Governments for Road Safety Assessment Work Program Funds in the amount of \$30,000.</p> <p>12. No item.</p> <p>13. TEMPORARY EXTENSION OF PREMISES – consider approval of a temporary extension of premises for Cogburn's located at 4902 South Val Vista Drive, Suite 112, for an event to be held on January 25, 2014.</p> <p>14. COUNCIL ADMINISTRATION - consider adoption of a Resolution in support of Arizona State University's Fiscal Year 2015 budget request for parity and performance funding from the Arizona State Legislature.</p> <p>15. MINUTES – consider approval of the minutes of Special Meetings December 12 and December 18, 2013 and Regular Meeting December 19, 2013.</p>	<p>Discussion; possible action by MOTION.</p> <p>Discussion; possible action by MOTION.</p> <p>Discussion; possible action by MOTION.</p> <p>Discussion; possible action by MOTION to adopt RESOLUTION.</p> <p>Discussion; possible action by MOTION.</p>
8:00-9:00	<p>PUBLIC HEARING</p> <p>Items 16 through 26 will be heard at one Public Hearing; at which time anyone wishing to comment on a Public Hearing Item may do so. Comments will be heard from those in support of or in opposition to an item. Hearings are noticed for 7:00 p.m. and may be held prior to the estimated time indicated on the Agenda.</p> <p>In order to comment on a Public Hearing Item, you must fill out a public comment form, indicating the</p>	

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	<p>Item Number on which you wish to be heard. Once the hearing is closed, there will be no further public comment unless requested by a member of the Council. After the Public Hearing, the Council may act on all items not requiring additional staff, public, or Councilmember comment with a single vote.</p>	
	<p>16. LIQUOR LICENSE – conduct hearing and consider approval of a Series 12 Restaurant Liquor License for Brooklyn V's Pizza located at 894 East Warner Road, Suite 101.</p>	Hearing; discussion; possible action by MOTION.
	<p>17. LIQUOR LICENSE – conduct hearing and consider approval of a Series 12 Restaurant Liquor License for Blue Lemon located at 4341 East Baseline Road, Suite 108.</p>	Hearing; discussion; possible action by MOTION.
	<p>18. LIQUOR LICENSE – conduct hearing and consider approval of sampling privileges for an existing Series 9 Liquor Store License for Fry's Marketplace #670 located at 6470 South Higley Road.</p>	Hearing; discussion; possible action by MOTION.
	<p>19. LIQUOR LICENSE – conduct hearing and consider approval of sampling privileges for an existing Series 9 Liquor Store License for Fry's Food & Drug #15 located at 3751 East Baseline Road.</p>	Hearing; discussion; possible action by MOTION.
	<p>20. LIQUOR LICENSE – conduct hearing and consider approval of sampling privileges for an existing Series 9 Liquor Store License for Fry's Food & Drug #52 located at 855 West Warner Road.</p>	Hearing; discussion; possible action by MOTION.
	<p>21. LIQUOR LICENSE – conduct hearing and consider approval of an agent change and acquisition of control for the Series 10 Beer and Wine Store Liquor License for Danny's Crossroads located at 4027 South Gilbert Road.</p>	Hearing; discussion; possible action by MOTION.
	<p>22. LIQUOR LICENSE – conduct hearing and consider approval of an agent change and acquisition of control for the Series 10 Beer and Wine Store Liquor License for Danny's San Tan located at 2870 South Market Street.</p>	Hearing; discussion; possible action by MOTION.

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	<p>23. ZONING Z13-31 - conduct hearing and consider approval of the findings and adoption of an Ordinance amending the Zoning Code of Gilbert, Arizona, Chapter I <u>Zoning Regulations</u>, Division 2 <u>Land Use Designations</u>, Article 2.4 <u>Heritage Village Center Zoning District</u>, Section 2.402 <u>Land Use Regulations</u>, Table 2.402 <u>Land Use Regulations - Heritage Village Center District</u> and Article 2.8 <u>Gateway Districts</u>, Section 2.803 <u>Land Use Regulations</u>, Table 2.803 <u>Land Use Regulations - Gateway Districts</u> related to adding "Colleges, Public or Private" to the list of permitted uses. The effect of this amendment will be to allow Colleges, Public or Private as a permitted use in the Heritage Village Center (HVC) and the Gateway Village Center (GVC) zoning districts.</p> <p>24. ZONING Z13-28 conduct hearing and consider approval of the findings and adoption of an Ordinance amending Ordinances No. 1142, 1230, 2209 and 2326, and to remove approximately 14 acres of real property generally located at the southwest corner of the Santan Freeway and Ray Road from the Gilbert Crossroads Planned Area Development (PAD) and to rezone said real property from Town of Gilbert Regional Commercial (RC) zoning district with a Planned Area Development (PAD) overlay zoning district to Regional Commercial (RC) zoning district, as shown on the exhibit, which is available for viewing in the Planning and Development Services Office. The effect of the rezoning will be to allow the real property to be developed subject to the development standards for the Regional Commercial (RC) zoning district.</p> <p>24A. GENERAL PLAN GP13-16/ ZONING Z13-27 – conduct hearing and consider:</p> <p>a) adoption of a Resolution approving a Minor General Plan amendment to change the land use classification of approximately 22.5 acres of real property generally located at the northwest corner of Higley and Ray Roads from General Commercial to Regional Commercial land use classification; and</p> <p>b) amend Ordinance Nos. 1305 and 2364 and rezone</p>	<p>Hearing; discussion; possible action by MOTION to adopt ORDINANCE.</p> <p>Hearing; discussion; possible action by MOTION to adopt ORDINANCE.</p> <p>Hearing; discussion; possible action by MOTION to adopt RESOLUTION and ORDINANCE.</p>

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	<p>approximately 22.5 acres of real property within the Agritopia Planned Area Development (PAD), generally located at the northwest corner of Higley and Ray Roads from approximately 22.5 acres of General Commercial (GC) with a Planned Area Development overlay zoning district to approximately 22.5 acres of Regional Commercial (RC) with a Planned Area Development overlay zoning district.</p> <p><i>Request to table.</i></p> <p>25. PROPERTY ACQUISITION – conduct hearing and consider adoption of a Resolution approving the acquisition of required right-of-way and easements on Parcel Nos. 304-14-002W, 304-12-009W, 304-12-009X, 304-12-967B, 304-12-967A, 304-12-967A (Arby's PAD), 304-12-967A (Salad to Go PAD), 302-12-967A (Vacant Pad) and 302-14-901 for Guadalupe and Gilbert Intersection Project, Project No. ST129.</p> <p>26. CODE OF GILBERT - conduct hearing and consider adoption of an Ordinance amending the Code of Gilbert, Arizona, Chapter 14 <u>Businesses</u>, by amending Article VIII <u>Escorts and Escort Services</u> related to the regulation of escorts, escort bureaus, introduction of services and escort bureau runners.</p>	<p>Hearing; discussion; possible action by MOTION to adopt RESOLUTION.</p> <p>Hearing; discussion; possible action by MOTION to adopt ORDINANCE.</p>
9:00-9:10	<p>ADMINISTRATIVE ITEMS</p> <p>Administrative Items are for Council discussion and action. It is to the discretion of the majority of the Council regarding public input requests on any Administrative Item. Persons wishing to speak on an Administrative Item should complete a Request to Speak Form and indicate the Item they wish to address. Council may or may not accept public comment.</p> <p>27. BOARDS, COMMISSIONS, AND COMMITTEES - reports from Council Liaisons for the:</p> <ul style="list-style-type: none"> a) Council Subcommittee on Board and Commission Application Screening, Interview, and Selection b) Other Council Subcommittees 	<p>Report.</p>

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	c) Congress of Neighborhoods Committee d) Design Review Board e) Environmental and Energy Conservation Advisory Board f) Gilbert Educational Cable Access Governing Board g) Arts, Culture and Tourism Board h) Human Relations Commission i) Industrial Development Authority j) Mayor's Youth Advisory Committee k) Parks, Recreation and Library Services Advisory Board l) Planning Commission m) Redevelopment Commission n) Special Events Commission o) Gilbert Public Facilities MPC p) Gilbert Water Resources MPC q) Gilbert Self-Insured Trust Fund r) Regional Meetings s) Utility Board	
	POLICY ITEMS 28. None.	
9:10-9:20	29. FUTURE MEETINGS There may be a discussion of whether to place an item on a future agenda and the date, but not the merits of the item.	Discussion.
9:20-9:30	COMMUNICATIONS 30. Report from the TOWN MANAGER on current events. 31. Report from members of the COUNCIL on current events. 32. Report from the MAYOR on current events.	
9:30	ADJOURN	MOTION to adjourn.

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NOTICE TO PARENTS: Parents and legal guardians have the right to consent before the Town of Gilbert makes a video or voice recording of a minor child. A.R.S. §1-602.A.9. Gilbert Council Meetings are recorded and may be viewed on Channel 11 and the Gilbert website. If you permit your child to participate in the Council Meeting, a recording will be made. If your child is seated in the audience your child may be recorded, but you may request that your child be seated in a designated area to avoid recording. Please submit your request to the Town Clerk.

FUTURE MEETINGS & EVENTS

Updated January 16, 2014

January 28, 2014

- Study Session, Council Chambers, 4:00 p.m.

January 30, 2014

- Boards and Commissions Interviews, Human Relations Commission, Conference Room 233, 5:15 p.m.
- Student Citizens of the Month Award, Council Chambers, 6:30 p.m.
- Regular Meeting, Council Chambers, 7:00 p.m.

February 6, 2014

- Joint Meeting with Small Business Alliance, Conference Room 300, 7:00 p.m.

February 13, 2014

- State of the Town, Council Chambers, 6:00 p.m.
- Regular Meeting, Council Chambers, 7:00 p.m.

March 4, 2014

- Study Session, Council Chambers, 4:00 p.m.

March 6, 2014

- Boards and Commissions Interviews, Environmental and Energy Conservation and Advisory Board, Conference Room 233, 5:15 p.m.
- Student Citizens of the Month Award, Council Chambers, 6:30 p.m.
- Regular Meeting, Council Chambers, 7:00 p.m.

March 27, 2014

- Boards and Commissions Interviews, Environmental and Energy Conservation and Advisory Board, Conference Room 233, 5:15 p.m.
- Student Citizens of the Month Award, Council Chambers, 6:30 p.m.
- Regular Meeting, Council Chambers, 7:00 p.m.

Addition - BOLD; Change – ~~Strikeout~~

April 15, 2014

- Study Session, Council Chambers, 4:00 p.m.

April 17, 2014

- Student Citizens of the Month Award, Council Chambers, 6:30 p.m.
- Regular Meeting, Council Chambers, 7:00 p.m.

May 1, 2014

- Boards and Commissions Interviews, Parks, Recreation and Library Services Board, Conference Room 233, 5:15 p.m.
- Regular Meeting, Council Chambers, 7:00 p.m.

May 13, 2014

- Study Session, Council Chambers, 4:00 p.m.

May 15, 2014

- Student Citizens of the Month Award, Council Chambers, 6:30 p.m.
- Regular Meeting, Council Chambers, 7:00 p.m.

June 5, 2014

- Regular Meeting, Council Chambers, 7:00 p.m.

June 24, 2014

- Study Session, Council Chambers, 4:00 p.m.

June 26, 2014

- Regular Meeting, Council Chambers, 7:00 p.m.

July 31, 2014

- Regular Meeting, Council Chambers, 7:00 p.m.

Addition - **BOLD**; Change – ~~Strikeout~~

August 15 & 16, 2014

- Annual Planning Meeting, TBD, TBD

August 21, 2014

- Regular Meeting, Council Chambers, 7:00 p.m.

September 11, 2014

- Boards and Commissions Interviews, Town of Gilbert, Arizona Self-Insured Trust Fund, Conference Room 233, 6:15 p.m.
- Regular Meeting, Council Chambers, 7:00 p.m.

September 23, 2014

- Study Session, Council Chambers, 4:00 p.m.

September 25, 2014

- Boards and Commissions Interviews, Redevelopment Commission, Conference Room 233, 6:15 p.m.
- Student Citizens of the Month Award, Council Chambers, 6:30 p.m.
- Regular Meeting, Council Chambers, 7:00 p.m.

October 16, 2014

- Regular Meeting, Council Chambers, 7:00 p.m.

Addition - **BOLD**; Change – ~~Strikeout~~

October 28, 2014

- Study Session, Council Chambers, 4:00 p.m.

October 30, 2014

- Student Citizens of the Month Award, Council Chambers, 6:30 p.m.
- Regular Meeting, Council Chambers, 7:00 p.m.

November 13, 2014

- Student Citizens of the Month Award, Council Chambers, 6:30 p.m.
- Regular Meeting, Council Chambers, 7:00 p.m.

December 2, 2014

- Study Session, Council Chambers, 4:00 p.m.

December 4, 2014

- Boards and Commissions Interviews, Design Review Board, Conference Room 233, 6:15 p.m.
- Regular Meeting, Council Chambers, 7:00 p.m.

December 18, 2014

- Student Citizens of the Month Award, Council Chambers, 6:30 p.m.
- Regular Meeting, Council Chambers, 7:00 p.m.